

EXHIBIT D

From: David Forrest <dforrest@loeb.com>
Sent: Tuesday, September 17, 2024 7:14 PM
To: Mario Gazzola
Cc: Michael Carlinsky; Laura Santos-Bishop; Pedro Souza; John Piskora
Subject: RE: Activity in Case 2:24-cv-06089-JMA-AYS SDN Limited et al v. IOV Labs Limited et al Scheduling Order

[EXTERNAL EMAIL from dforrest@loeb.com]

Mario,

We do not consent to adjourning the Initial Conference. You already filed a letter requesting that the Court direct Plaintiffs to file their Complaint by a certain date and the Court directed the Initial Conference in response.

Separately, we think the conference would be helpful for multiple reasons. Among others: 1) the Court can set a time for Plaintiffs to file their complaint at the conference; 2) Plaintiffs can advise the Court that their currently pending motion for an extension of time to complete service (which was filed in state court) need not be resolved because there is no time limit for service of international defendants under Rule 4(m); and 3) the parties can enter a discovery scheduling order including for documents that can be exchanged “without the necessity for formal document requests” as required by Magistrate Judge Shields’ rules (which would certainly include any agreements between your clients and either Steven Nerayoff or SDN Limited).

David

David Forrest
Attorney At Law



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From: Mario Gazzola <mariogazzola@quinnemanuel.com>
Sent: Wednesday, September 11, 2024 12:15 PM

To: David Forrest <dforrest@loeb.com>; John Piskora <jpiskora@loeb.com>
Cc: Michael Carlinsky <michaelcarlinsky@quinnemanuel.com>; Laura Santos-Bishop <laurasantosbishop@quinnemanuel.com>; Pedro Souza <pedrosouza@quinnemanuel.com>
Subject: FW: Activity in Case 2:24-cv-06089-JMA-AYS SDN Limited et al v. IOV Labs Limited et al Scheduling Order

Counsel:

Pursuant to the below, please confirm that Plaintiffs will be filing a full complaint by September 19, 2024 pursuant to CPLR 3012(b).

Given that a full complaint has not yet been filed, that not all defendants have been served, and that this case presents significant threshold issues warranting a stay of discovery, please let us know your position on adjourning the pretrial conference until a date after filing of a full complaint and effective service upon all defendants.

Best,
Mario

Mario O. Gazzola
212-849-7102 Direct
919-360-1686 Cell

From: ecf_bounces@nyed.uscourts.gov <ecf_bounces@nyed.uscourts.gov>
Sent: Tuesday, September 10, 2024 12:32 PM
To: nobody@nyed.uscourts.gov
Subject: Activity in Case 2:24-cv-06089-JMA-AYS SDN Limited et al v. IOV Labs Limited et al Scheduling Order

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U.S. District Court

Eastern District of New York

Notice of Electronic Filing

The following transaction was entered on 9/10/2024 at 12:31 PM EDT and filed on 9/10/2024

Case Name: SDN Limited et al v. IOV Labs Limited et al

Case Number: [2:24-cv-06089-JMA-AYS](https://www.courtlistener.com/documents/2/24-cv-06089-JMA-AYS)

Filer:

Document Number: [12](#)

Docket Text:

ORDER: An IN-PERSON Initial Conference is set for 9/30/2024 at 11:30 AM in Courtroom 840 before Magistrate Judge Anne Y. Shields. See order and attachment. Ordered by Magistrate Judge Anne Y. Shields on 9/10/2024. (Attachments: # (1) AYS RULES) (JT)

2:24-cv-06089-JMA-AYS Notice has been electronically mailed to:

Michael B. Carlinsky michaelcarlinsky@quinnmanuel.com, kellyscott@quinnmanuel.com

John Anthony Piskora jpiskora@loeb.com, jpiskora@ecf.courtdrive.com, nydocket@loeb.com

Mario O. Gazzola mariogazzola@quinnmanuel.com

David A. Forrest dforrest@loeb.com, dforrest@ecf.courtdrive.com, nydocket@loeb.com

2:24-cv-06089-JMA-AYS Notice will not be electronically mailed to:

The following document(s) are associated with this transaction:

Document description: Main Document

Original filename: n/a

Electronic document Stamp:

[STAMP NYEDStamp_ID=875559751 [Date=9/10/2024] [FileNumber=19291510-0]
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Document description: AYS RULES

Original filename: n/a

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[STAMP NYEDStamp_ID=875559751 [Date=9/10/2024] [FileNumber=19291510-1]
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